

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARMANE SMITH,
Plaintiff

v.

HABAND,
Defendant

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:
:
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:
:
:

3:17cv1677

(Judge Munley)

(Magistrate Judge Carlson)

ORDER

AND NOW, to wit, this 30th day of October 2017, it is hereby **ORDERED**
as follows:

1. Plaintiff's Objections (Doc. 3) to Magistrate Judge Martin C. Carlson's
report and recommendation (Doc 2) are **OVERRULED**;

2. Magistrate Judge Martin C. Carlson's report and recommendation is
ADOPTED;

3. Plaintiff's complaint (Doc.1) is **DISMISSED** for failure to state a claim for
which relief may be granted, and for lack of subject matter jurisdiction, without
prejudice to file in an appropriate state court; and

4. The Clerk of Court is directed to close this case.

s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court